

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITES STATES OF AMERICA)	
)	CASE NO. 3:05-CR-234-A
v.)	
)	
TYRONE WHITE)	

MOTION FOR CLARIFICATION

COMES NOW the Defendant TYRONE WHITE, by and through his undersigned counsel, and respectfully requests clarification from this Honorable Court on its Order on Motions (Doc. 62), entered pursuant to a hearing held November 22, 2005.

1. Specifically, the Defendant seeks clarification on the provision therein which states, "Defendant's Renewed Motion to Modify Terms of Release (Doc. 54, Nov. 18, 2005) is GRANTED to the extent of its request that the defendant be released from electronic monitoring." The Defendant understands this provision to mean that electronic monitoring is no longer required, so long as he complies with the subsequent, named conditions of release set forth by this Court. This belief was reasonably based upon the Court's oral and written rulings.

2. Tamera Martin, the pretrial service officer in this case, interprets the Court's stated conditions to imply electronic monitoring is required, in spite of the Court's language to the contrary. Defendant White's supervising officer, Bernard Ross, also indicated that he would not permit removal of the electronic monitoring without further clarification from the Court.

3. The Defendant respectfully requests clarification from this Court on the issue of electronic monitoring, namely that the Court meant exactly what it said, when it stated "that the defendant be released from electronic monitoring." The Defendant hopes to present clarification

on this issue to the United States Probation and Pretrial Services Office before the long holiday weekend.

WHEREFORE, the undersigned respectfully moves this Court to issue written clarification on its Order on Motions (Doc. 62).

RESPECTFULLY SUBMITTED this 23rd day of November 2005,

TYRONE WHITE
Defendant

/s/ Julian L. McPhillips, Jr.
JULIAN L. McPHILLIPS, JR.
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CERTIFICATE OF SERVICE

I certify that, on this date, I have served a copy of the foregoing upon the Government by electronic filing, and by faxing an additional courtesy copy of same to the Government's attorney, at (334) 223-7135.

/s/ Julian L. McPhillips, Jr.
JULIAN L. McPHILLIPS, JR.
Attorney for Defendant